



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/713,292	11/16/2000	R. Bruce Wallace	57983-000017	3714

7590 10/28/2005
Thomas E Anderson
Hunton & Williams
1900 K Street NW
Washington, DC 20006-1109

EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/713,292	Applicant(s) WALLACE ET AL.	
	Examiner Benjamin R. Bruckart	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Status of Claims:

Claims 1-44 are pending in this Office Action.

Claims 1, 13, 21 and 36 are amended.

Response to Arguments

Applicant's arguments filed in the amendment filed 10, have been fully considered but they are not persuasive. The reasons are set forth below.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the web site" in claim 1, lines 5-6. There is insufficient antecedent basis for this limitation in the claim. Because this is the first mention of a web site, 'the' should be an 'a'.

Claims 1-4, 7-8, 11-14, 17-18, 20-26, 29, 31-37, 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 6,510,464 by Grantges in view of U.S. Patent No. 6,006,269 by Phaal.

Regarding claim 1,

Art Unit: 2155

The Grantges reference teaches an internet customer access system (Grantges: col. 2, lines 60-65) comprising:

- a redirect receiving unit for receiving a redirected customer web site access request from a name server (Grantges: col. 6, lines 37-40; gateway; col. 4, lines 49-52; gateway receives request from proxy server);

- a redirect unit for redirecting the customer to the web site (Grantges: col. 7, lines 1-22), wherein the internet customer access system is independent from the web site (Grantges: col. 5, lines 24-39).

The Grantges reference does not explicitly state determining capacity.

The Phaal reference teaches generating a request for a capacity determination for the web site (Phaal: col. 5, lines 45-57; 63-65);

- a capacity determination unit for determining if the web site has capacity to handle an additional customer (Phaal: col. 5, lines 45-57; 63- col. 6, line 15);

- a notification unit for notifying the customer if the web site currently has insufficient capacity (Phaal: col. 6, lines 15-25); and

- redirect unit for redirecting the customer to the web site if sufficient capacity is found (Phaal: col. 8, lines 36-41),

The Phaal reference further teaches the invention improves quality of service and provides a service to clients even when refused (Phaal: col. 2, lines 5-28).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Grantges while employing capacity determination as taught by Phaal in order to improve quality of service and provides a service to clients even when refused (Phaal: col. 2, lines 5-28).

Claims 2-4, 7-8, 11-12 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Phaal and Grantges.

Regarding claim 2, the internet customer access system of claim 1, wherein the notification unit comprises a scheduling processor for scheduling access of the customer to the web site (Phaal: col. 6, lines 15-49).

Regarding claim 8, the Internet customer access system of claim 2, wherein the scheduling processor comprises means for providing appointment slots (Phaal: col. 7, line 18-22; col. 6, lines 16-49).

Regarding claim 3, the internet customer access system of claim 2, further comprising a customer identification unit for determining whether a customer has scheduled access to a web site (Phaal: col. 7, lines 60- col. 8, line 10).

Regarding claim 7, the internet customer access system of claim 3, wherein the notification unit comprises an update processor for informing a customer access system already possessing a tag of current accessibility status (Phaal: col. 6, lines 61- col. 7, line 3).

Art Unit: 2155

Regarding claim 4, the internet customer access system of claim 3, wherein the scheduling processor comprises means for attaching a tag to a customer system (Phaal: col. 6, lines 50-65).

Regarding claim 11, the internet customer access system of claim 1, wherein the notification unit comprises means for notifying a customer that the site is full (Phaal: col. 6, lines 1-25; lines 65-67).

Regarding claim 12, the internet customer access system of claim 1, wherein the notification unit comprises means for notifying a customer that replay options are available (Phaal: col. 6, lines 16-29; lines 65- col. 7, line 3).

Regarding claim 13,

The Grantges reference teaches an Internet customer access system (Grantges: col. 2, lines 60-65) comprising:

a redirect receiving unit for receiving a redirected customer web site access request from a name server (Grantges: col. 6, lines 37-40; gateway; col. 4, lines 49-52; gateway receives request from proxy server)

wherein the internet customer access system is independent from the web site (Grantges: col. 5, lines 24-39).

The Grantges reference does not explicitly state determining capacity.

The Phaal reference teaches generating a request for a capacity determination for the web site (Phaal: col. 5, lines 45-57; 63-65);

a capacity determination unit for determining if the web site has capacity to handle an additional customer (Phaal: col. 5, lines 45-57; 63- col. 6, line 15);

a scheduling processor for scheduling access of the customer to the web site if the capacity determination unit indicates that no current capacity exists (Phaal: col. 6, lines 15-49).

a customer identification unit for determining whether the customer has scheduled access to the web site (Phaal: col. 7, lines 60- col. 8, line 10),

The Phaal reference further teaches the invention improves quality of service and provides a service to clients even when refused (Phaal: col. 2, lines 5-28).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Grantges while employing capacity determination as taught by Phaal in order to improve quality of service and provides a service to clients even when refused (Phaal: col. 2, lines 5-28).

Claims 14, 17-18, 20 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Phaal and Grantges.

Regarding claim 14, the Internet customer access system of claim 13 wherein the scheduling processor comprises means for attaching a tag to the customer system (Phaal: col. 6, lines 50-65).

Art Unit: 2155

Regarding claim 17, the internet customer access system of claim 14, further comprising a notification unit having an update processor for informing a customer access system already possessing a tag of current accessibility status (Phaal: col. 6, lines 61- col. 7, line 3).

Regarding claim 18, the Internet customer access system of claim 14, wherein the scheduling processor comprises means for providing appointment slots (Phaal: col. 7, line 18-22; col. 6, lines 16-49).

Regarding claim 20, the internet customer access system of claim 1, wherein the notification unit having means for notifying a customer that the site is full (Phaal: col. 6, lines 1-25; lines 65-67).

Regarding claim 21, a method for regulating access to a web site (Grantges: col. 2, lines 60-65), the method comprising the steps of:

receiving a redirected customer web site access request from a name server (Grantges: col. 6, lines 37-40; gateway; col. 4, lines 49-52; gateway receives request from proxy server), wherein the redirected customer website access request is received at a system that is independent from the web site (Grantges: col. 5, lines 24-39);

The Grantges reference does not explicitly state determining capacity.

The Phaal reference teaches determining if the web site has capacity to handle an additional customer (Phaal: col. 5, lines 45-57; 63- col. 6, line 15);

redirecting the customer to the web site if sufficient capacity is found (Phaal: col. 8, lines 36-41); and

notifying the customer if insufficient capacity is found (Phaal: col. 8, lines 36-41).

The Phaal reference further teaches the invention improves quality of service and provides a service to clients even when refused (Phaal: col. 2, lines 5-28).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Grantges while employing capacity determination as taught by Phaal in order to improve quality of service and provides a service to clients even when refused (Phaal: col. 2, lines 5-28).

Claims 21-26, 29, 31-35 are rejected under the same rationale given above. In the rejections set forth, the examiner will address the additional limitations and point to the relevant teachings of Phaal and Grantges.

Regarding claim 22, regulating access to a website method of claim 21, notifying the customer that replay options are available (Phaal: col. 6, lines 16-29; lines 65- col. 7, line 3).

Regarding claim 23, the method of claim 21, further comprising determining whether the customer has a tag (Phaal: col. 12, lines 10-18).

Regarding claim 24, the method of claim 23, further comprising determining whether the tag is valid (Phaal: col. 10, lines 12-22; Grantges: col. 11, lines 60- col. 12, line 8).

Art Unit: 2155

Regarding claim 25, the method of claim 24, further comprising redirecting the customer to the web site if the tag is valid (Phaal: col. 11, line 65- col. 12, lines 18).

Regarding claim 26, the method of claim 22, further comprising determining if the tag is expired (Phaal: col. 8, lines 15-18; Grantges: col. 11, line 60- col. 12, line 8).

Regarding claim 29, the method of claim 21, further comprising scheduling customer access if insufficient capacity is found (Phaal: col. 6, lines 15-49).

Regarding claim 31, the method of claim 29, wherein scheduling comprises providing the customer with an appointment (Phaal: col. 7, line 18-22; col. 6, lines 16-49).

Regarding claim 32, the method of claim 29, wherein scheduling comprises leaving a tag on the customer system and providing the customer with a finite time for which the tag is valid (Phaal: col. 6, lines 50-65; col. 10, lines 12-22)

Regarding claim 33, the method of claim 29, further comprising determining whether a visitor has previously scheduled access to the web site (Phaal: col. 7, lines 60- col. 8, line 10).

Regarding claim 34, the method of claim 33, further comprising providing a customer with updated position information (Phaal: col. 11, lines 60- col. 12, line 18; countdown).

Regarding claim 35, the method of claim 33, further comprising offering a cancellation (Phaal: col. 6, lines 64- col. 7, line 11) and rescheduling option upon providing updated position information (Phaal: col. 13, lines 28-35; col. 14, lines 25-42; Fig 6b; a deferred message is received at its appointment but no resources are available so the message is deferred again).

Regarding claim 36,

The Grantges reference teaches a method for regulating access to a web site (Grantges: col. 2, lines 60-65), the method comprising the steps of:

receiving a redirected customer web site access request from a name server (Grantges: col. 6, lines 37-40; gateway; col. 4, lines 49-52; gateway receives request from proxy server), wherein the redirected customer website access request is received at a system that is independent from the web site (Grantges: col. 5, lines 24-39);

The Grantges reference does not explicitly state determining capacity.

The Phaal reference teaches determining if the web site has sufficient capacity to handle an additional customer (Phaal: col. 5, lines 45-57; 63- col. 6, line 15).

scheduling access of the customer to the web site if insufficient capacity is found (Phaal: col. 6, lines 15-49) and

determining whether a customer has previously scheduled access to the web site (Phaal: col. 7, lines 60- col. 8, line 10).

The Phaal reference further teaches the invention improves quality of service and provides a service to clients even when refused (Phaal: col. 2, lines 5-28).

Art Unit: 2155

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Grantges while employing capacity determination as taught by Phaal in order to improve quality of service and provides a service to clients even when refused (Phaal: col. 2, lines 5-28).

Claims 37, 39-44 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Phaal and Grantges.

Regarding claim 37, the method of claim 36, wherein scheduling access comprises scheduling an appointment for the customer (Phaal: col. 7, line 18-22; col. 6, lines 16-49).

Regarding claim 39, the method of claim 36, wherein scheduling access comprises providing the customer with a tag (Phaal: col. 6, lines 50-67).

Regarding claim 40, the method of claim 36, further comprising redirecting the customer to the web site if sufficient capacity is found (Phaal: col. 8, lines 36-41).

Regarding claim 41, the method of claim 36, wherein determining whether a customer has previously scheduled access to the web site comprises determining whether a customer has a tag (Phaal: col. 7, lines 60- col. 8, line 10).

Regarding claim 42, the method of claim 41, further comprising redirecting the customer to the web site if the tag is valid (Phaal: col. 11, line 65- col. 12, lines 18).

Claims 5-6, 15-16, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 6,510,464 by Grantges in view of U.S. Patent No. 6,006,269 by Phaal in further view of U.S. Publication No. 2003/0041263 by Devine et al.

Regarding claim 5,

The Grantges and Phaal references teach encryption and tags that are cookies but do not explicitly state an encrypted cookie.

The Devine reference teaches the use of encrypted cookies (Devine: page 15, claim 11 part c).

The Devine reference further teaches the invention uses security features to prevent traditional hacker attacks that comprise the system and its data (Devine: page 1, para 13).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Grantges and Phaal while employing an encrypted cookie as taught by Devine in order to use security features to prevent traditional hacker attacks that comprise the system and its data (Devine: page 1, para 13)

Claim 6 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Phaal, Grantges and Devine.

Regarding claim 6, the internet customer access system of claim 4, wherein the customer identification unit comprises means for detecting the tag on the customer system (Phaal: col. 12, lines 10-18) and means for removing the tag from the customer system (Devine: page 11, para 125).

Regarding claim 15,

The Grantges and Phaal references teach encryption and tags that are cookies but do not explicitly state an encrypted cookie.

The Devine reference teaches the use of encrypted cookies (Devine: page 15, claim 11 part c).

The Devine reference further teaches the invention uses security features to prevent traditional hacker attacks that comprise the system and its data (Devine: page 1, para 13).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Grantges and Phaal while employing an encrypted cookie as taught by Devine in order to use security features to prevent traditional hacker attacks that comprise the system and its data (Devine: page 1, para 13).

Claim 16 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Phaal, Grantges and Devine.

Regarding claim 16, the internet customer access system of claim 4, wherein the customer identification unit comprises means for detecting the tag on the customer system (Phaal: col. 12,

Art Unit: 2155

lines 10-18) and means for removing the tag from the customer system (Devine: page 11, para 125).

Regarding claim 28,

The Grantgas and Phaal references teach the method of claim 21, wherein redirecting the customer to the web site comprises the steps of determining if the customer has a tag (Phaal: col. 12, lines 10-18).

The Grantgas and Phaal references do not explicitly state removing a tag.

The Devine reference teaches removing a tag if present (Devine: page 11, para 125).

The Devine reference further teaches the invention uses security features to prevent traditional hacker attacks that comprise the system and its data (Devine: page 1, para 13).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Grantges and Phaal while employing an encrypted cookie as taught by Devine in order to use security features to prevent traditional hacker attacks that comprise the system and its data (Devine: page 1, para 13).

Claims 9-10, 19, 30 , 38 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 6,510,464 by Grantges in view of U.S. Patent No. 6,006,269 by Phaal in further view of U.S. Patent No 4,788,715 by Lee.

Regarding claim 9,

The Grantges and Phaal references teach the Internet customer access system of claim 3 with scheduling and providing an estimated service time (Phaal: col. 6, lines 19-49).

The Grantges and Phaal references do not explicitly state providing the customer with a position in a queue.

The Lee reference teaches wherein means for providing the customer with a position in a queue (Lee: col. 3, lines 35-41) and means for providing an estimated service time (Lee: col. 3, lines 35-41).

The Lee reference further teaches the invention allows the customer to make informed decisions about whether to wait before availability (Lee: col. 1, lines 24-40; col. 2, lines 14-16)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Grantges and Phaal while placing the customer in a queue and providing estimated service time as taught by Lee in order to allow the customer to make informed decisions (Lee: col. 1, lines 24-40; col. 2, lines 14-16).

Claim 10 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Grantges, Phaal and Lee.

Regarding claim 10, the internet customer system of claim 9, providing a customer with an updated place in the queue (Lee: col. 6, lines 20-26).

Regarding claim 19,

Art Unit: 2155

The Grantges and Phaal references teach the Internet customer access system of claim 14 with scheduling and providing an estimated service time (Phaal: col. 6, lines 19-49).

The Grantges and Phaal references do not explicitly state providing the customer with a position in a queue.

The Lee reference teaches wherein means for providing the customer with a position in a queue (Lee: col. 3, lines 35-41) and means for providing an estimated service time (Lee: col. 3, lines 35-41).

The Lee reference further teaches the invention allows the customer to make informed decisions about whether to wait before availability (Lee: col. 1, lines 24-40; col. 2, lines 14-16)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Grantges and Phaal while placing the customer in a queue and providing estimated service time as taught by Lee in order to allow the customer to make informed decisions (Lee: col. 1, lines 24-40; col. 2, lines 14-16).

Regarding claim 30,

The Grantges and Phaal references teach a method of regulating access to a website.

The Grantges and Phaal references do not explicitly state wherein providing the customer with a position in a queue.

The Lee reference teaches wherein scheduling comprises providing the customer with a position in a queue (Lee: col. 3, lines 35-41).

The Lee reference teaches wherein means for providing the customer with a position in a queue (Lee: col. 3, lines 35-41) and means for providing an estimated service time (Lee: col. 3, lines 35-41).

The Lee reference further teaches the invention allows the customer to make informed decisions about whether to wait before availability (Lee: col. 1, lines 24-40; col. 2, lines 14-16)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Grantges and Phaal while placing the customer in a queue and providing estimated service time as taught by Lee in order to allow the customer to make informed decisions (Lee: col. 1, lines 24-40; col. 2, lines 14-16).

Regarding claim 38,

The Grantges and Phaal references teach the method of claim 36.

The Grantges and Phaal references do not explicitly state the use assigning of a customer to a queue.

The Lee reference teaches assigning the customer a position in a queue (Lee: col. 3, lines 35-41).

The Lee reference further teaches the invention allows the customer to make informed decisions about whether to wait before availability (Lee: col. 1, lines 24-40; col. 2, lines 14-16)

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Grantges and Phaal while placing the customer in a queue and providing estimated service time as taught by Lee in order to allow the customer to make informed decisions (Lee: col. 1, lines 24-40; col. 2, lines 14-16).

Art Unit: 2155

Claim 27, 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 6,510,464 by Grantges in view of U.S. Patent No. 6,006,269 by Phaal in further view of U.S. 6,742,016 by Bhoj et al.

Regarding claim 27,

The Phaal and Grantges references teach the method of claim 26, further comprising providing the customer with an updated status if the tag is not expired (Phaal: col. 11, lines 60-65) and performing scheduling operations (Phaal: col. 6, lines 15-49).

The Phaal and Grantges references do not explicitly state performing operations if the tag is expired.

The Bhoj reference teaches performing operations if the tag is expired (Bhoj: col. 8, lines 62 – col. 9, line 9).

The Bhoj reference further teaches the invention protects against excessive load conditions and provides greater quality of service (Bhoj: col. 1, lines 43-55).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Phaul and Grantges while performing operations with an expired tag as taught by Bhoj in order to protect against excessive load conditions and provides greater quality of service (Bhoj: col. 1, lines 43-55).

Regarding claim 43,

The Phaal and Grantges references teach the method of claim 42, and performing scheduling operations (Phaal: col. 6, lines 15-49).

The Phaal and Grantges references do not explicitly state performing operations if the tag is expired.

The Bhoj reference teaches performing operations if the tag is expired (Bhoj: col. 8, lines 62 – col. 9, line 9).

The Bhoj reference further teaches the invention protects against excessive load conditions and provides greater quality of service (Bhoj: col. 1, lines 43-55).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the internet customer access system as taught by Phaul and Grantges while performing operations with an expired tag as taught by Bhoj in order to protect against excessive load conditions and provides greater quality of service (Bhoj: col. 1, lines 43-55).

Claim 44 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Grantges, Phaal and Bhoj.

Regarding claim 44, the method of claim 43, further comprising performing update processing if the tag is not yet valid and is not yet expired (Phaal: col. 11, lines 60-col. 12, lines 18).

REMARKS

Applicant has amended the independent claims to specify name server instead of network server and that the internet customer access system is independent from the web site.

The Applicant Argues:

1) The Grantges and Phaal references do not teach the web site is independent of the internet customer access system.

2) The proxy server is not a name server.

In response, the examiner respectfully submits:

The Grantges and Phaal references teach the cited and amended limitations. With respect to the first argument, Grantges teaches the web sites are independent from the redirection server and internet customer access system. Col. 5, lines 24-39 teach the applications “exist independently of computer system 20.” Fig. 1 tags 24-1, 24-2, ..., 24-n are the web servers running the applications. Computer system 20 is defined in col. 4, lines 14-19 as the components consisting of firewalls, gateway servers and proxies. The two components are independent but relate to each other when serving and redirecting requests (col. 7, lines 1-12). The examiner questions the use of the word independently to define their relationship. Does the applicant mean to define it as a third party system interchangeable with any and all different web-servers? The prior art reads openly on the claim because of the brevity in which the relationship is established. Grantges teaches there can be many web servers running many applications per gateway server.

With respect to the second argument, the changing of the limitation from “network server” to “name server” does not overcome the art. While the name has changed, the functionality has not. Applicant is encouraged to further define the functionality of the “name server” with some of the details from the specification if those define over the prior art. Applicant cites the specification in the arguments for this amendment. While the claims are read in light of the specification, the specification is not read into the claim limitations.

With regards to the redirection of the request, Grantges teaches the request is redirected after being authenticated by the firewall. The request is redirected to the gateway when authentication is positive. If the authentication is negative, then an error is given and no redirection takes place (Fig. 8). The gateway unit further redirects the request to a website (col. 7, lines 1-12).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155

brb 


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER